

Notice of Rulemaking Hearing
Tennessee Department of Environment and Conservation
Division of Air Pollution Control

There will be a public hearing before the Technical Secretary of the Tennessee Air Pollution Control Board to consider the promulgation of amendments to the Tennessee Air Pollution Control Regulations and the State Implementation Plan pursuant to Tennessee Code Annotated, Section 68-201-105. The comments received at this hearing will be presented to the Tennessee Air Pollution Control Board for their consideration in regards to the proposed regulatory amendments. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-201 et. seq. and will take place in the 9th Floor Conference Room of the L & C Annex, located at 401 Church Street, Nashville, Tennessee 37243-1531, at 9:30 a.m. CST on Tuesday, November 27, 2007. Anyone desiring to make oral comments at this public hearing is requested to prepare a written copy of their comments to be submitted to the hearing officer at the public hearing.

Written comments not submitted at the public hearing will be included in the hearing record only if received by the close of business on Tuesday, November 27, 2007, at the following address: Technical Secretary, Tennessee Air Pollution Control Board, 9th Floor, L & C Annex, 401 Church Street, Nashville, TN 37243-1531.

Any individuals with disabilities who wish to participate in these proceedings or to review these filings should contact the Tennessee Department of Environment and Conservation to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be in person, by writing, telephone, or other means, and should be made no less than ten (10) days prior to Tuesday, November 27, 2007 or the date such party intends to review such filings, to allow time to provide such aid or service. Contact Mr. John Rae White, Tennessee Department of Environment and Conservation ADA Coordinator, 12th Floor, 401 Church Street, Nashville TN 37243, (615) 532-0207. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

If you have any questions about the origination of rule changes in Chapter 1200-3-26 you may contact Mr. Ron Culberson at 615-532-0554. If you have any questions about the origination of rule changes in Chapter 1200-3-27 or section 110(a)(2) of the Clean Air Act (CAA) addressing interstate transport of pollutants related to ozone and PM_{2.5} in downwind States you may contact Mr. Travis Blake at 615-532-0617. If you have any questions about the origination of rule changes in Chapter 1200-3-37 you may contact Ms. Elizabeth Peeler at 615-532-9200. Copies of documents concerning these matters are available for review at the office of the Technical Secretary and at certain public depositories. For information about reviewing these documents or copies of the text of the notice, please contact Mr. Malcolm Butler, Division of Air Pollution Control, 9th Floor, L & C Annex, 401 Church Street, Nashville, TN 37243-1531, telephone (615) 532-0600.

Summary of Proposed Changes

Tennessee proposes to make an affirmative declaration that major sources in Tennessee will be subject to PSD and NNSR permitting programs implemented in accordance with EPA's interim guidance calling for use of PM₁₀ as a surrogate for PM_{2.5} in the PSD and NNSR programs, until such time that EPA finalizes new regulatory requirements for these programs.

Subparagraph (d) of paragraph (9) of rule 1200-3-26-.02 CONSTRUCTION AND ANNUAL EMISSION FEES is amended by striking "\$33.00" in the first sentence and inserting "\$38.00" in its place; by striking "\$22.50" in the second sentence and inserting "\$27.50" in its place; by striking the two citations to the period "July 1, 2006, through June 30, 2007," and inserting in their places "July 1, 2007, through June 30, 2008;" and in the third sentence striking the two citations to the period "July 1, 2006, through June 30, 2007," and inserting in their places "July 1, 2007, through June 30, 2008."

Paragraph (1) of rule 1200-3-27-.11 CAIR NO_x OZONE SEASON TRADING PROGRAM is revised by adding language that allows the permitting authority to deduct CAIR NO_x Ozone Season allowances from a CAIR NO_x Ozone Season unit's compliance account to resolve violations of rule 1200-3-27-.06 (NO_x Budget Trading Program) that occur during 2008. CAIR NO_x Ozone Season allowances would be deducted as specified by 1200-3-27-.06(1)(j). Only the portion of the rule affected by this amendment is open to public comment.

Sections 60.4104, 60.4140, and 60.4141 of rule 1200-3-37 CLEAN AIR MERCURY RULE are revised by adopting U.S. EPA's revisions to 40 CFR 60 Subpart HHHH (71 FR 33388, June 9, 2006). Adoption of these rule changes is required to satisfy Tennessee's remaining CAMR obligations under §111(d) of the Clean Air Act. Only the portions of the rule affected by this amendment are open to public comment.

Revisions considered at this hearing may be adopted by the Tennessee Air Pollution Control Board under T.C.A. 68-201-105, the Board general authority to promulgate rules.

Materials concerning the proposed actions will be available at <http://www.tdec.net/apc/ppo/> and also for public inspection during normal working hours starting on October 25, 2007, at the following locations:

Air Pollution Control Division 9th Floor, L & C Annex 401 Church Street Nashville, TN 37243-1531	Pollution Control Division Metropolitan Health Dept. 311 23rd Avenue, North Nashville, TN 37203	Air Pollution Control Division Cookeville EFO 1221 South Willow Avenue Cookeville, TN 38506
Air Pollution Control Division Knoxville EFO 3711 Middlebrook Pk., Suite 220 Knoxville, TN 37921	Air Pollution Control Division Johnson City EFO 2305 Silverdale Road Johnson City, TN 37601-2162	Air Pollution Control Division Jackson EFO 362 Carriage House Drive Jackson, TN 38305
Air Pollution Control Division Columbia EFO 2484 Park Plus Drive Columbia, TN 38401	Knox County Department of Air Quality Management 140 Dameron Avenue, Suite 242 Knoxville, TN 37917	Division of Air Pollution Control Memphis-Shelby Co. Health Dept. 814 Jefferson Avenue Memphis, TN 38105
Air Pollution Control Division Chattanooga EFO 540 McCallie Avenue, Suite 550 Chattanooga, TN 37402	Air Pollution Control Division Nashville EFO 711 R. S. Gass Boulevard Nashville, TN 37243	Kingsport Public Library 400 Broad Street Kingsport, TN 37660
Chattanooga-Hamilton County Air Pollution Control Bureau 6125 Preservation Drive Chattanooga, TN 37416	U.S. EPA, Region IV APTMD - 12th Floor, Atlanta Federal Center 61 Forsyth Street S.W. Atlanta, GA 30303 c/o Ms. Kay Prince, Chief	

All persons interested in the air quality of the State of Tennessee are urged to attend and will be afforded the opportunity to present testimony to the hearing officer regarding the proposed additions and/or revisions to the State Implementation Plan. Any person desiring to present lengthy comments should be prepared at the hearing to offer a written statement to be incorporated into the record. Written statements not presented at the hearings will only be considered part of the records if received by 4:30 P.M. Tuesday, November 27, 2007, at the office of the Technical Secretary, Tennessee Air Pollution Control Board, 9th Floor L & C Annex, 401 Church Street, Nashville, Tennessee, 37243-1531.